

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 E/S York Road, 250' N of * ZONING COMMISSIONER
 Belfast Road * OF BALTIMORE COUNTY
 (15141 York Road) * Case No. 91-125-X
 8th Election District
 3rd Councilmanic District
 Andrew J. DePalola, et al
 Petitioners

ORDER OF DISMISSAL

WHEREAS, the Petitioners filed a Petition for Special Exception to permit a Class B Group Child Care Center on the subject property;

WHEREAS, at the public hearing held on November 27, 1990 to determine the appropriateness of same, Counsel for Petitioners requested a Motion to Dismiss the matter;

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27th day of November, 1990 that the Petition for Special Exception in the above-captioned matter be and the same is hereby DISMISSED without prejudice.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner
 for Baltimore County

JRH:bjs
 cc: Howard L. Alderman, Jr., Esquire
 305 W. Chesapeake Avenue, Suite 113
 Towson, Md. 21204
 Mr. John M. Guckert
 6 Glencoe Manor Court
 Sparks, Md. 21152
 Mr. John G. Leonard, Jr.
 29 Chesterfield Court
 Monkton, Md. 21111
 People's Counsel
 File

COPIES RECEIVED FOR FILING
 Date 11/27/90
 By [Signature]

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for A Group Child Care Center, Class B, pursuant to RCZR Section 424.5.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Andrew J. DePalola
 (Type or Print Name)
 Signature: *[Signature]*
 Address: 1401 Cedarcroft Road
 City and State: Baltimore, MD 21239
 Legal Owner(s): Andrew J. DePalola
 (Type or Print Name)
 Signature: *[Signature]*
 Address: 1401 Cedarcroft Road
 City and State: Baltimore, MD 21239
 Attorney for Petitioner: Howard L. Alderman, Jr., Esq.
 (Type or Print Name)
 Signature: *[Signature]*
 Address: 1401 Cedarcroft Road
 City and State: Baltimore, MD 21239
 Name, address and phone number of legal owner, contract purchaser or representative to be contacted: Howard L. Alderman, Jr., Esq.
 Name: Levin & Gann, P.A.
 Address: Suite 113, 305 W. Chesapeake Ave.
 City and State: Towson, MD 21204
 Attorney's Telephone No.: 321-0600

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 19____, at _____ o'clock

_____ M.
 FILED 8/10/90 BY VLL.
 ANY TIME OR DAY
 1 HOUR HEARING TIME
 C.C.O. No. 1
J. Robert Haines
 Zoning Commissioner of Baltimore County.

(over)

Paul Lee P.E.

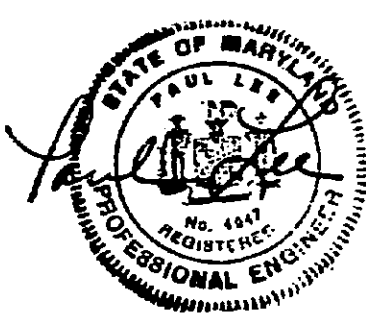
Paul Lee Engineering Inc.
 308 W. Pennsylvania Ave.
 Towson, Maryland 21284
 301-221-5341

DESCRIPTION

15141 YORK ROAD
 EIGHTH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point located on the east side of York Road, said point also being located 250 feet northerly from the intersection with the center of Belfast Road; thence leaving said east side of York Road, (1) S 87°21'49" E 199.11 feet, (2) S 20°53'17" E 196.07 feet, (3) N 69°06'13" E 318.88 feet, (4) N 17°20'20" W 400.00 feet, (5) S 87°41'30" W 290.00 feet, (6) S 79°54'00" W 114.00 feet, (7) S 09°55'00" E 50.00 feet, and (8) S 79°05'32" W 132.90 feet to the east side of York Road; thence binding on the east side of York Road, (9) S 21°09'37" E 211.42 feet to the point of beginning.

Containing 4.527 acres of land, more or less.



Engineer - Surveyor - Site Planner
 6/8/90 J.O. #90003

CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct 15, 19__

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 11, 1990.

THE JEFFERSONIAN,

L. Zake Orlin
 Publisher

\$ 76.81

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10-15-90

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 10-11, 1990.

TOWSON TIMES,

S. Zake Orlin
 Publisher

\$ 76.81

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
 Petition for Special Exception
 Case Number: 91-125-X
 E/S York Road, 250' N of Belfast Road
 8th Election District
 3rd Councilmanic District
 Petitioners:
 Andrew J. DePalola and Herbert R. Zinder
 Hearing Date: Thursday, November 27, 1990 at 11:00 a.m.
 Special Exception: A Group Child Care Center, Class B.
 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 T/10/177 Oct. 11.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:
 Petition for Special Exception
 Case Number: 91-125-X
 E/S York Road, 250' N of Belfast Road
 8th Election District
 3rd Councilmanic District
 Petitioners:
 Andrew J. DePalola and Herbert R. Zinder
 Hearing Date: Thursday, November 27, 1990 at 11:00 a.m.
 Special Exception: A Group Child Care Center, Class B.
 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County
 T/10/177 Oct. 11.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 8th Date of Posting: 11/8/90
 Posted for: Special Exception
 Petitioner: Andrew J. DePalola & Herbert R. Zinder
 Location of property: E/S York Rd., 250' N of Belfast Rd.
 15141 York Rd.
 Location of Sign: Facility York Rd. approx 20 ft roadway on property of Petitioner.
 Remarks: *[Signature]*
 Posted by: *[Signature]* Date of return: 11/16/90
 Number of Signs: 7

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

Andrew J. DePalola
 Herbert R. Zinder
 1401 Cedarcroft Road
 Baltimore, Maryland 21239

Re: Petition for Special Exception
 CASE NUMBER: 91-125-X
 E/S York Road, 250' N Belfast Road
 15141 York Road
 8th Election District - 3rd Councilmanic
 Petitioner(s): Andrew J. DePalola and Herbert R. Zinder
 HEARING: TUESDAY, NOVEMBER 27, 1990 at 11:00 a.m.

Please be advised that \$ 101.81 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE OWNER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER

JRH:gs
 cc: Howard L. Alderman, Jr., Esq.

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

NOTICE OF HEARING
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Special Exception
 CASE NUMBER: 91-125-X
 E/S York Road, 250' N Belfast Road
 15141 York Road
 8th Election District - 3rd Councilmanic
 Petitioner(s): Andrew J. DePalola and Herbert R. Zinder
 HEARING: THURSDAY, NOVEMBER 8, 1990 at 11:00 a.m.

Special Exception: A Group Child Care Center, Class B.

J. Robert Haines
 J. ROBERT HAINES
 Zoning Commissioner of Baltimore County

JRH:gs
 cc: Howard L. Alderman, Jr., Esq.

Baltimore County
 Zoning Commissioner
 Office of Planning & Zoning
 Towson, Maryland 21204
 (301) 887-3353
 J. Robert Haines
 Zoning Commissioner

Andrew J. DePalola
 Herbert R. Zinder
 1401 Cedarcroft Road
 Baltimore, Maryland 21239

Re: Petition for Special Exception
 CASE NUMBER: 91-125-X
 E/S York Road, 250' N Belfast Road
 15141 York Road
 8th Election District - 3rd Councilmanic
 Petitioner(s): Andrew J. DePalola and Herbert R. Zinder
 HEARING: THURSDAY, NOVEMBER 8, 1990 at 11:00 a.m.

Please be advised that \$ _____ is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE OWNER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,
J. Robert Haines
 J. ROBERT HAINES
 ZONING COMMISSIONER

JRH:gs
 cc: Howard L. Alderman, Jr., Esq.

Baltimore County
 Zoning Commissioner
 County Office Building
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Account: R001-6150
 Number: 3941

91-125

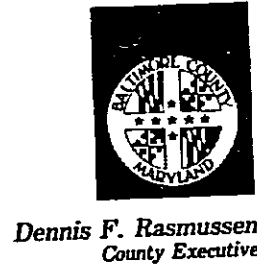
Date: 11/21/90
 PUBLIC HEARING FEES QTY PRICE
 080 -POSTING SIGNS / ADVERTISING 1 X \$101.81
 TOTAL: \$101.81
 LAST NAME OF OWNER: ZINDER

044D4W10L6M1CHRC \$101.81
 88 0011474N11-27-90

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3333
J. Robert Haines
Zoning Commissioner

September 28, 1990



NOTICE OF REASSIGNMENT

CASE NUMBER(S): 91-125-X
PETITIONER(S): Andrew J. DePalola and Herbert R. Zinder
LOCATION: E/S York Road, 250' N Belfast Road
15141 York Road

THE ABOVE MATTER HAS BEEN REASSIGNED. HEARING WILL NOW TAKE PLACE AS FOLLOWS:

TUESDAY, NOVEMBER 27, 1990 AT 11:00 A.M.

IN THE BALTIMORE COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, ROOM 106, TOWSON, MARYLAND 21204.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY

JRH:gs
cc: DePalola and Zinder
Howard L. Alderman, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3333
J. Robert Haines
Zoning Commissioner

November 14, 1990



Howard L. Alderman, Esquire
Levin & Gann, P.A.
Suite 113, 305 Chesapeake Ave
Towson, MD 21204

RE: Item No. 60, Case No. 91-125-X
Petitioner: Andrew J. DePalola
Petition for Special Exception

Dear Mr. Alderman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

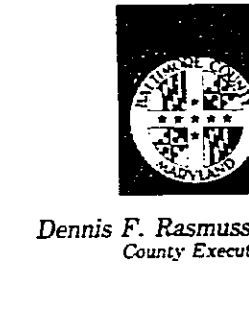
Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw
Enclosures

cc: Mr. Andrew J. DePalola
1401 Cedarcroft Road
Baltimore, MD 21239

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21284
(301) 887-3333
J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this 5th day of September, 1990.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Andrew J. DePalola, et al
Petitioner's Attorney: Howard L. Alderman

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

9/22/90
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21284

Zoning Item # 60, Zoning Advisory Committee Meeting of September 4, 1990
Property Owner: Andrew J. DePalola and Herbert R. Zinder
Location: 15141 York Road District: 8
Water Supply: private Sewage Disposal: private

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for use existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been _____, must be _____, conducted.
 - () The results are valid until _____
 - () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3900.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others _____

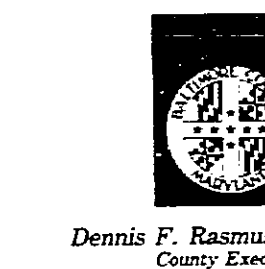
Michael S. Flanigan
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Mr. J. Robert Haines
Page 2
November 27, 1990

enclosure

cc: Paul Lee Engineering Inc. w/enc.
Mr. J. Ogle w/enc.

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21284
(301) 887-3554



October 2, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 60
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:
Area:
District:

Z.A.C. September 4, 1990
Andrew J. DePalola & Herbert R. Zinder
E/S York Road, N. of Belfast Road.

R.C. 5
Special Exception for a group child care center, Class "B"
4.527 (+/-) acre
8th Election District
3rd Councilmanic District

Dear Mr. Haines:

The proposed group child care center should have a safe off-street loading area for children.

Access to site is from a State road and subject to State standards.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSP/lww



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

November 27, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
DePaola and Zinder Property
Zoning meeting 9/4/90
Child Care Center
E/S York Road
MD 45
north of Belfast Road
Item #60

Dear Mr. Haines:

We have reviewed the submittal for a special exception for a child care center and offer the following comments:

The plan must be revised to show the construction of a 30' entrance in accordance with State Highway Administration standards for commercial access.

Also, to be included, must be the construction of a 100' deceleration lane and a 50' acceleration lane to adequately transition vehicles to and from this proposed entrance.

We have enclosed a revised plan for your use.

All work within SHA right-of-way must be performed under an access permit issued by this office prior to issuance of building permits.

If you have any questions, or need further assistance, please contact Larry Brocato (333-1350).

Very truly yours,

John Contestable
John Contestable, Chief
Engineering Access Permits
Division

LB/es

My telephone number is (301) 333-1350

Typewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 383-0431 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

received
11/27/90

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21284-5500
(301) 887-4500
Paul H. Reineke
Chief



SEPTEMBER 6, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ANDREW J. DEPALOLA AND HERBERT ZINDER
Location: #15141 YORK ROAD
Item No.: 60 Zoning Agency: SEPTEMBER 4, 1990
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. SECTION 10-7

REVIEWER: *Paul H. Reineke* 9/6/90 Noted and Approved *Captain W. F. Brady Jr.*
Special Inspection Division Fire Prevention Bureau

JR/REK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines, Zoning Commissioner
DATE: October 15, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Andrew J. DePalola, Item No. 60

The Petitioner requests a Special Exception for a group child care center, Class B.

In reference to this request, staff provides the following comments:

- This office supports the requested Special Exception. A child care center would provide a useful service to the community. Since many families have both parents working, this child care center could provide a convenient day care location for area residents.
- The site plan should be revised to show a fenced-in outside play area.

Should the Petitioner's request be granted, staff recommends that a landscape plan be filed.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm
ITEM60/ZAC1

See
10/17/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
SEPTEMBER 11, 1990

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT OF ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 60
PROPERTY OWNER: Andrew J. DePalola and Herbert R. Zinder
LOCATION: E/S York Road, 250' N Belfast Road (#15141 York Rd)
ELECTION DISTRICT: 8th
COUNCILMANIC DISTRICT:3-d

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- PARKING LOCATION RAMPS (degree slope)
- NUMBER PARKING SPACES CURB CUTS
- BUILDING ACCESS SIGNAGE
- PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MUST BE REQUIRED.
- A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).
- OTHER - Age of children and numbers under 2 1/2 years will ultimately help to determine the correct use group of section 301.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

RECEIVED
SEP 11 1990
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: August 30, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for September 4, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 52, 55, 59, 60, 63, 65, 68, 69 and 70.

For Item 58, a County Review Group Meeting is required. For Items 45, 62 and 66, the previous County Review Group comments still apply.

For Item 57, the topography shows a pole at corner of drive that will interfere with widening. Half paving width of Sulphur Spring Road is 21 feet, right-of-way equals 30 feet (not shown on plan). Entrance apron to be 7-inch concrete on 4-inch CR-6, similar to Plate R-32.

For Item 61, a revised County Review Group Meeting is needed. Original County Review Group Meeting under "Chartley Building" was for one story office.

For 91-42-A, Maryland National Bank Reconstruction, we have no comments.

RWB:s

Robert W. Bowling, P.E.
Chief
Developers Engineering Division

6 Glencoe Manor Court
Sparks, Maryland 21152
November 26, 1990

RECEIVED
NOV 26 1990
ZONING OFFICE

Zoning Commissioner
Mr. Robert Haines
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No: 91-125-X
15141 York Road
Sparks, Maryland

Dear Mr. Commissioner:

If possible, please accept this letter as a way for me to become a "party of record" on this particular case.

I reside at 6 Glencoe Manor Court, Sparks, Maryland which is immediately east of, and contiguous to, the subject property that is requesting a Special Exception for a Day Care Facility.

I am one of the nearest neighbors and make the following request as it relates to any conditions that are placed upon the Special Exception (assuming it will be approved).

- I request that appropriate fencing be installed for the property and that the fencing not extend beyond the rear wall of the home so it does not extend into the side or front yard of the property.
- The property in question is under covenants established by the developer of the Glencoe Manor subdivision which restricts fencing and does not allow that chain link or metal fence be installed. I request that the owner be requested to install approximately a four-foot board-on-board fence or some other type of wood fencing such as a white picket fence, or a split-rail fence, etc. (no metal fencing).
- I request that, as a part of the Special Exception, that supplemental exterior lighting not be allowed to be installed other than that which already exists as normal residential "flood lighting" existing on the back of the home.

Commissioner Robert Haines
November 26, 1990
Page 2

- I request that white pine trees be planted along the entire rear of the property within close proximity to the fenced area. It is requested that the pine trees that are planted be at least 6 to 8 feet in height (from grade) and that they be planted no more than 6 to 8 feet apart in a staggered row. The effect of the pine trees will not be evident to my home for many years. Due to the fact that there are only deciduous trees separating my home from the subject property, the white pine trees will ultimately (approximately 10 years from now) provide a solid, year-round screen.

Finally, I hope that the Special Exception only be approved for the current owner, not any subsequent owners of the home. I would request a new Special Exception if the facility "changes hands".

If you require any additional information, confirmation, or clarification of my comments please do not hesitate to call at my office at 301-583-8405, car at 440-9227, or home at 479-2442. I will try to attend the Hearing on November 27, 1990 at 11:00 AM. Thank you.

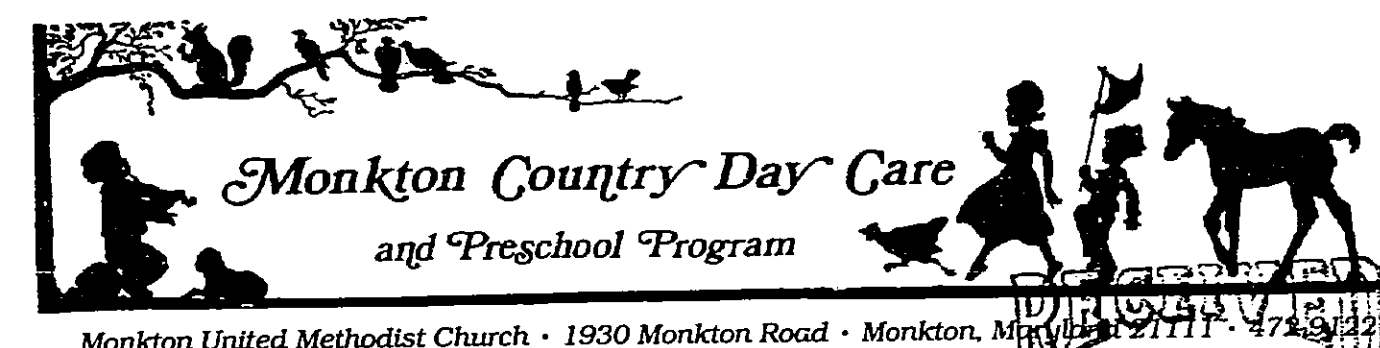
Sincerely,

John W. Cluckert
John W. Cluckert

JWC:smb

cc: Ms. Ann Nastarowicz

(wplb/commissioner)
(hand delivered)



Monkton United Methodist Church - 1930 Monkton Road - Monkton, Maryland

November 26, 1990

Mr. J. Robert Haines
Baltimore County Zoning Commissioner
Baltimore County Office of Planning & Zoning
Towson, Maryland 21204

Dear Mr. Haines,

I am writing in reference to a zoning request to expand an existing family day care operation located at Belfast and York Roads. I have been closely involved with the development and opening of a Group Day Care Center located in and operated by the Monkton United Methodist Church in Monkton, Maryland. The request to modify zoning in order to expand the above mentioned family day care operation has come to the attention of the Board of Directors of the Monkton Country Day Care and we wish to express our concerns in this matter.

Since the opening of our Center in October 1990, enrollment has not yet grown to anticipated numbers, in spite of active marketing activities. The Monkton Country Day Care is licensed to accommodate 20 children. After that number is reached, we may increase to 40 children with no change whatsoever to the existing facility, as advised by the State Department of Human Resources which surveys and issues day care licenses. Concerns related to the zoning request are as follows:

1) Existing Group Day Care providers in the community have existing vacancies (Monkton Country Day Care, AAI Corporation, West Liberty Day Care (formerly run by the YMCA), Epworth U.M. Church, and others).

2) Day Care operations existing in churches and schools are already permitted under current zoning laws and typically require little or no physical modifications to buildings, traffic patterns and other features of the site.

3) Day Care operations in local churches and schools are readily expanded to meet increased demand, should it exist, by requesting an increase in licensed enrollment capacity. In many cases, this requires little or no change to the facility and community.

NOV 27 1990
ZONING OFFICE

Page 2

Mr. J. Robert Haines

On behalf of the Board of the Monkton Country Day Care, I submit this information for your consideration in the zoning decision to be made for the Belfast/York Road area.

Sincerely yours,

Gloria R. Cameron

Gloria R. Cameron
Chairman, Board of Directors
Monkton Country Day Care
Monkton United Methodist Church

GREATER SPARKS-GLENCOE
COMMUNITY COUNCIL

RECEIVED
NOV 27 1990

P.O. Box 396 • Sparks, Maryland 21152

ZONING OFFICE

November 27, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204

RE: Special Exception for Class B Group Child Care Center
15141 York Road

Greater Sparks Glencoe Community Council (GSGCC) is opposed to the requested special exception to allow the operation of a Class B Child Care Center on this residentially zoned (RCS) property. This opposition is based upon a review of the issues associated with negative impacts on the health, safety, quality of life and character of the surrounding community as well as the health and safety of the children and parents who would utilize this facility. GSGCC is supportive of child care facilities, in general, but believes that this particular site is totally inappropriate for this use. GSGCC does believe, however, that the Family Child Care facility which is currently being operated at this residence (which is able to provide infant care) is appropriate.

This particular property is part of the planned residential subdivision of Glencoe Manor. Based upon discussions with residents of Glencoe Manor, as well as a review of the community by GSGCC Zoning Committee members, it was determined that the granting of this special exception and the subsequent uses of this property would have a definite negative impact on the quality of life and character of this residential community. The increase in traffic and noise, the impact on the visual aesthetics from many homes, the potential impact on property values within Glencoe Manor and the potential health issues related to commercial waste storage are of major concern from the communities standpoint.

GSGCC is also concerned about the contradictions within OPZ relating to commercial development and use in this area of the York Road corridor. GSGCC has worked with OPZ to develop the Hereford Commercial Rural District (CR). The reasoning behind this is to focus business activity which would support the local community in the Hereford area and restrict such uses in other areas of the rural York Road corridor. GSGCC has opposed other requests for commercial zoning or special exceptions in the area of York Road and Belfast Road with the support of OPZ. OPZ's current support of this special exception seems inconsistent with previous planning and zoning activities.

State of Maryland regulations state that a Class B is inappropriate in a residence due to the difficulty of making such a structure conform to all facility and site requirements (see Section 14-104). A review by GSGCC of all other Group Child Care providers in our area has determined that no other facility of this type is currently being operated in a residential property (see attached list). All other child care providers operate within churches or schools in order to provide appropriate and adequate facilities.

Modifications to the residence to bring it into compliance with State requirements would totally alter the residential nature of the home and make the structure no longer appropriate for residential use (only commercial use). The required modifications would include additional toilets and washroom facilities, a commercial kitchen, rooms large enough to accommodate the entire 29 children at one time for activities, sleeping/napping accommodations, parking, access, lighting, commercial waste storage, etc.

There are many issues which have not been addressed with regards to this request for special exception. Some of these issues are:

- Large portions of the site are located in a 100 year flood plain.

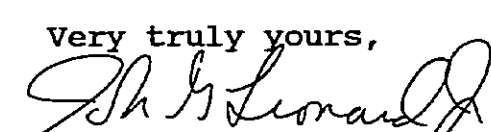
- The site plan does not seem to accurately reflect the actual location of existing and proposed facilities in relation to the flood plain (based upon a review of the actual site).
- The ability of to cars to simultaneously ingress and egress the site and the ability for commercial trash vehicles to turn around on the site.
- The driveway access is shared with the adjoining residential property.
- The need for commercial waste storage and removal in a residential area.
- The need for commercial lighting in a residential area.
- The septic system for this property was approved by the Baltimore County Department of Health and installed based upon residential usage. The proposed use would substantially increase the loads on this system and lead to potential failure. This system has not been reviewed by the Department of Health in relation to the proposed usage.
- The water supply for this property is via a well. No review of the capabilities of the well to support the proposed use has been conducted. Water supply on some nearby properties has been erratic.
- The requirement for large amounts of fencing to ensure the safety of the children would not be consistent with the surrounding community. The type of fencing required would probably not be allowed within the subdivisions covenants.
- Large impervious surfaces which would be required for access, parking, turn-arounds and commercial waste storage could create a storm water management problem on the property.
- The safety of people accessing the property from York Road, as well as those travelling on York Road, is of great concern. The site distance when looking north (while exiting the property) is severely restricted without encroaching upon the north bound traffic lane. There is also no adequate shoulder on either the north or south bound lanes in this area.
- The modifications required by the State Highways Department

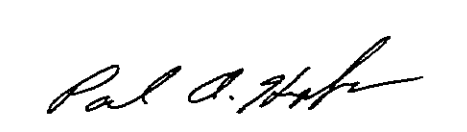
- would have major impacts to the site as well as the adjoining property on the north.
- Appropriate landscape buffers between residential and commercial properties in a residential area have not been addressed.
- Setbacks of commercial parking from residential properties has not been addressed.

The State regulations also require complete site and facility plans with the license application. Due to the fact that substantial site and facility modifications will be required, GSGCC feels that the incomplete plans which have been presented for review do not present full and adequate information required to support the granting of a special exception. GSGCC believes that the Zoning Commissioner should personally review the site before rendering a decision.

The applicant has indicated to GSGCC that he has other Group Child Care Center zoning requests currently before the Zoning Commissioner for sites which GSGCC feels are more suitable to this purpose. Also, the applicant has indicated to GSGCC that he is planning to abandon this property as a residence and use it strictly for commercial purposes.

Based upon the information presented, GSGCC is requesting that the proposed special exception be denied.

Very truly yours,

 JOHN G. LEONARD, JR.
 Zoning Committee Chairman
 GSGCC
 29 Chesterfield Ct.
 Monkton, Md. 21111


 PAUL A. HUFFER
 Zoning Coordinator
 GSGCC Southeast District
 831 Walters Lane
 Sparks, Md. 21152

BALTIMORE COUNTY, MARYLAND
 CHILD CARE CENTERS AND NURSERY SCHOOLS

DC - COMAR 10.05.01 Licensed Day Care - FULL DAY Special Services:
 D - Accepts Social Service Payments
 K - Kindergarten
 N - Part Day Nursery
 PT - Part Time Day Care

ASHLAND PRESCHOOL CENTER (DC) YMCA CHILD CARE AT HUNT VALLEY (DC)
 Ashland Presb. Church 212 Cockeyville Rd., 21030 (DC)
 116 Ashland Rd., 21030 N Ages: 2 - 6 yrs. D
 Ages: 2 - 5 yrs. Hours: 7:00 am - 6:00 pm (ST.ED.)
 Hours: 7:00 am - 5:30 pm Ms. Linda Whitfield, Director
 Mrs. Jean Bonta, Director Phone: 584-1299
 Phone: 527-1845

PLAY CENTERS, INC. (DC) YMCA SCHOOL AGE CHILD CARE (DC)
 Podonia Elementary 101 Church Lane, 21030 (DC)
 9834 Greenstone Ave., 21030 D
 Ages: 5 - 11 yrs. Ages: 5 - 13 yrs. D
 Ms. Lucy Phipps, Director 7:00 am - 9:00 am
 Phone: 628-7111 3:00 pm - 6:00 pm - School Days
 7:00 am - 6:00 pm - Holidays
 Patricia Puente, Director
 Phone: 252-0783
 Year round

SHERWOOD COOP. PRESCHOOL (DC) EPWORTH DAY CARE CENTER (DC)
 Sherwood Episcopal Church 600 Warren Rd., 21030 (DC)
 5 Sherwood Rd., 21030 Ages: 2 - 12 yrs. Partly trained PT
 Ages: 3 - 5 yrs. Hours: 7:00 am - 6:00 pm
 Ms. Crystal Williams, Director Robin Hester, Director
 Phone: 666-0353 No DSS

OPEN DOOR CHILD CARE - AAI CHILD CARE CENTER (DC) PLAYCENTERS AT COCKEYSVILLE ELEM. (DC)
 10120 Marble Ct., 21030 (DC)
 Ages: 2 - 6 yrs. Ages: 5 - 12 yrs. D
 Hours: 6:00 am - 6:00 pm Vicki Costa, Director
 Robin Coppola, Director Phone: 661-6100
 Phone: 628-6670
 Their employees only

BALTIMORE COUNTY, MARYLAND
 CHILD CARE CENTERS AND NURSERY SCHOOLS

DC - COMAR 10.05.01 Licensed Day Care - FULL DAY Special Services:
 D - Accepts Social Service Payments
 K - Kindergarten
 N - Part Day Nursery
 PT - Part Time Day Care

PHOENIX
 CARROLL MILL EARLY LEARNING AND CHILD CARE (DC)
 2300 Carroll Rd., 21131 D
 Ages: 2 - 5 yrs.
 Mrs. Katherine Johnston, Administrator
 Phone: 771-4758

FAIRVIEW EARLY LEARNING CTR. (DC)
 Fairview U. Meth. Church
 13916 Jarrettsville Pike, 21131 (DC)
 Ages: 3 - 5 yrs.
 Ms. Mary Stichter, Director
 Phone: 666-7390
 Before & After school care for students @ Warren & Carroll Manor Elem. schools.

JACKSONVILLE PLAY & LEARN CTR. (DC)
 14525 Old York Rd., 21131 (DC)
 Ages: 2 - 4 yrs. (00)
 Ms. Bernice Groves, Director D
 Phone: 527-1182
 Small Group Center - 7-12 Children

BALTIMORE COUNTY, MARYLAND
 CHILD CARE CENTERS AND NURSERY SCHOOLS

DC - COMAR 10.05.01 Licensed Day Care - FULL DAY Special Services:
 D - Accepts Social Service Payments
 K - Kindergarten
 N - Part Day Nursery
 PT - Part Time Day Care

GLENCOE
 OLDFIELD (DC) PLAY CENTERS AT SPARKS ELEM. (DC)
 1500 Glencoe Rd., 21152 (ST.ED.) 1000 Sparks Rd., 21152 (DC)
 P. O. Box 697 Ages: 6-16
 Hours: 7:30 am - 5:30 pm Hours: 7:5 am & 3-6 pm-School days
 Ms. Sandy Gamber, Director Holidays-7 am - 6 pm
 Phone: 472-4141 Ms. Sandi Winters, Director
 Phone: 472-3387

BALTIMORE COUNTY, MARYLAND
 CHILD CARE CENTERS AND NURSERY SCHOOLS

DC - COMAR 10.05.01 Licensed Day Care - FULL DAY Special Services:
 D - Accepts Social Service Payments
 K - Kindergarten
 N - Part Day Nursery
 PT - Part Time Day Care

MONKTON
 OPEN DOOR @ ST. JAMES ACADEMY (DC)
 3100 Monkton Rd., 21111 (DC)
 Ages: 5 - 12 yrs. D
 12:00 - 6:00 pm - School days only
 Carol Schefstad, Director
 Phone: 472-9393

RECEIVED
 NOV 27 1990

ZONING OFFICE
 Department of Zoning
 Baltimore County, Maryland

Standa Shortall
 15407 Langford Rd.
 Sparks, Maryland 21152
 Nov. 25, 1990

case #
 91-125-X-60

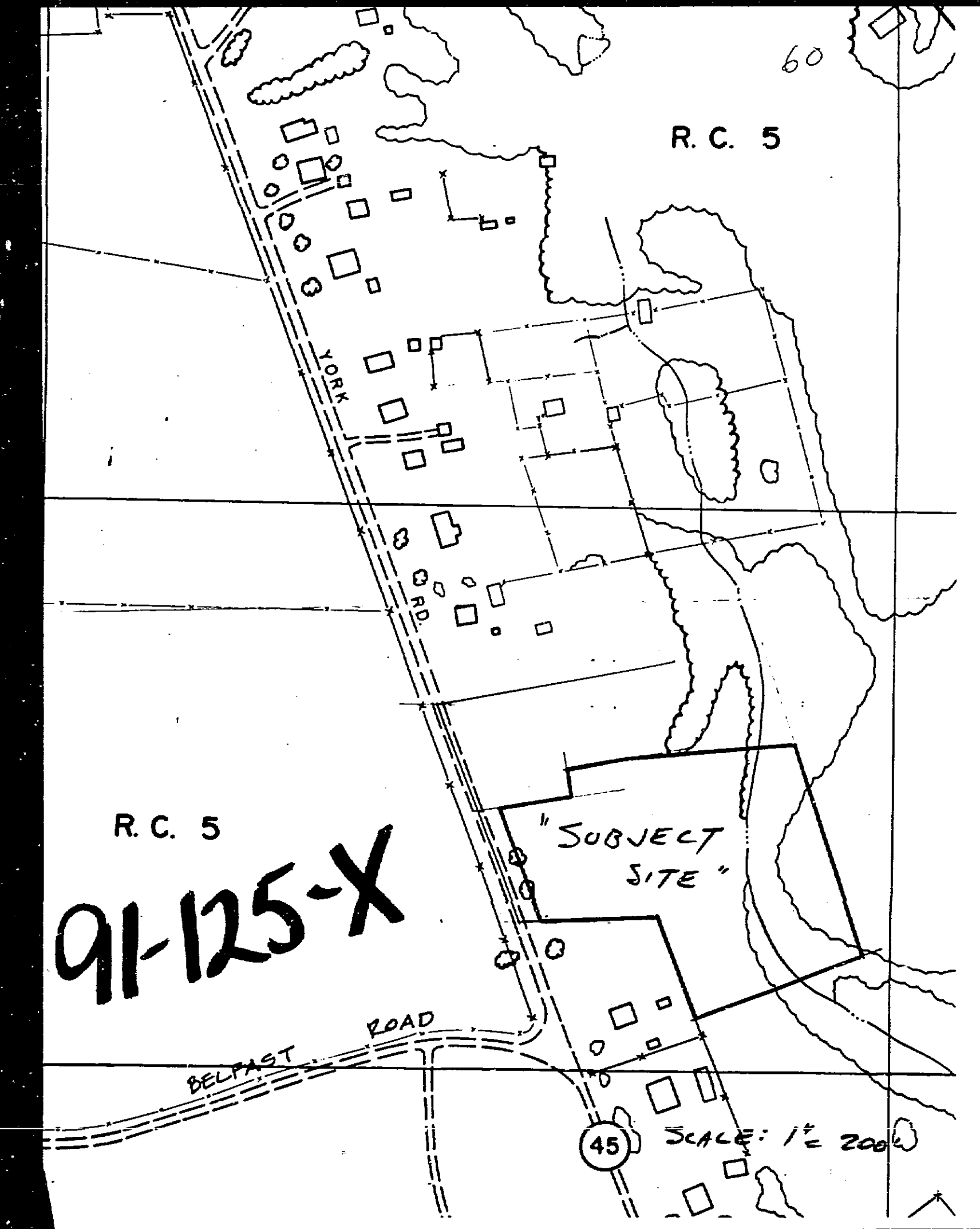
Dear Commissioner Haines,

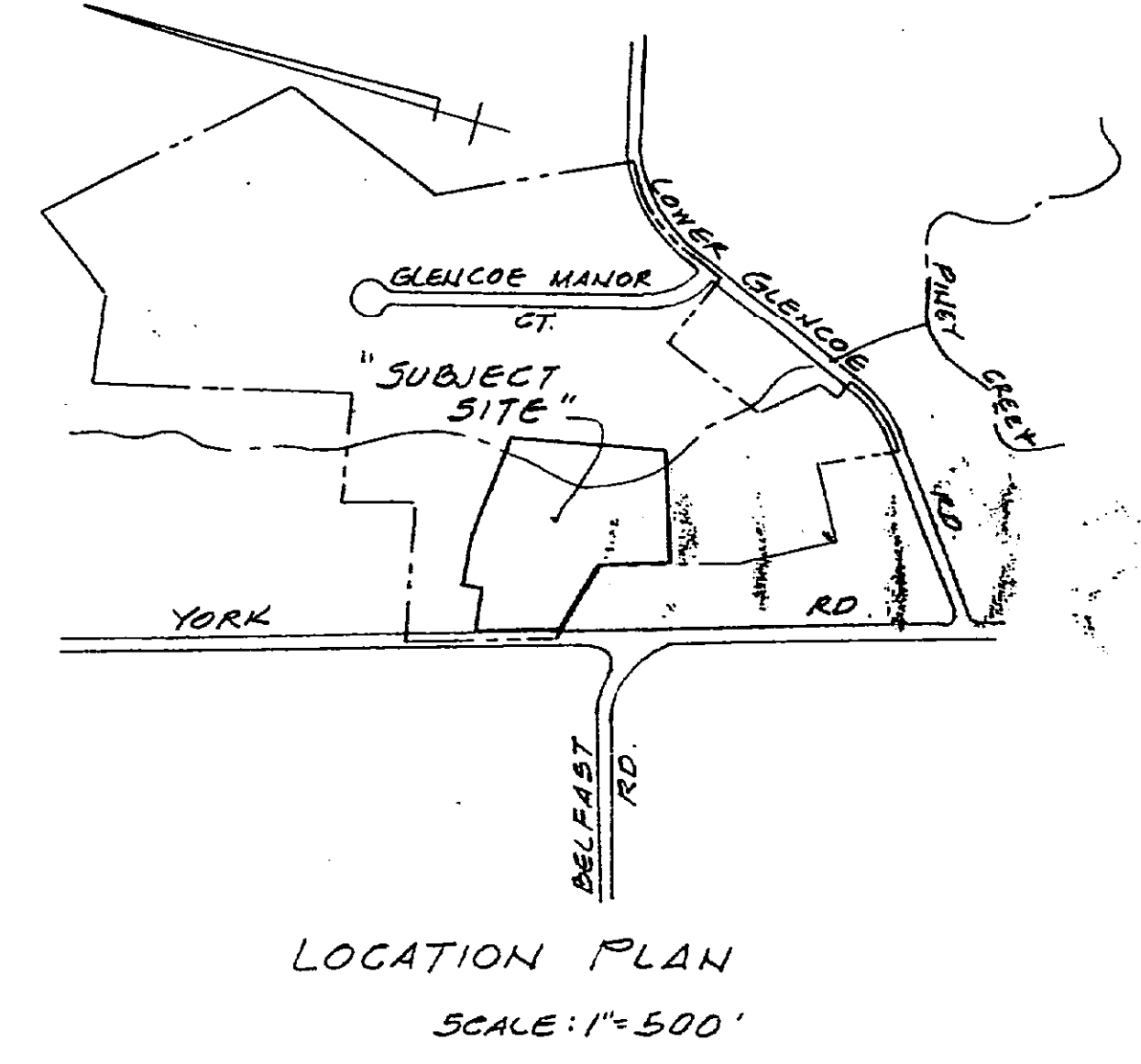
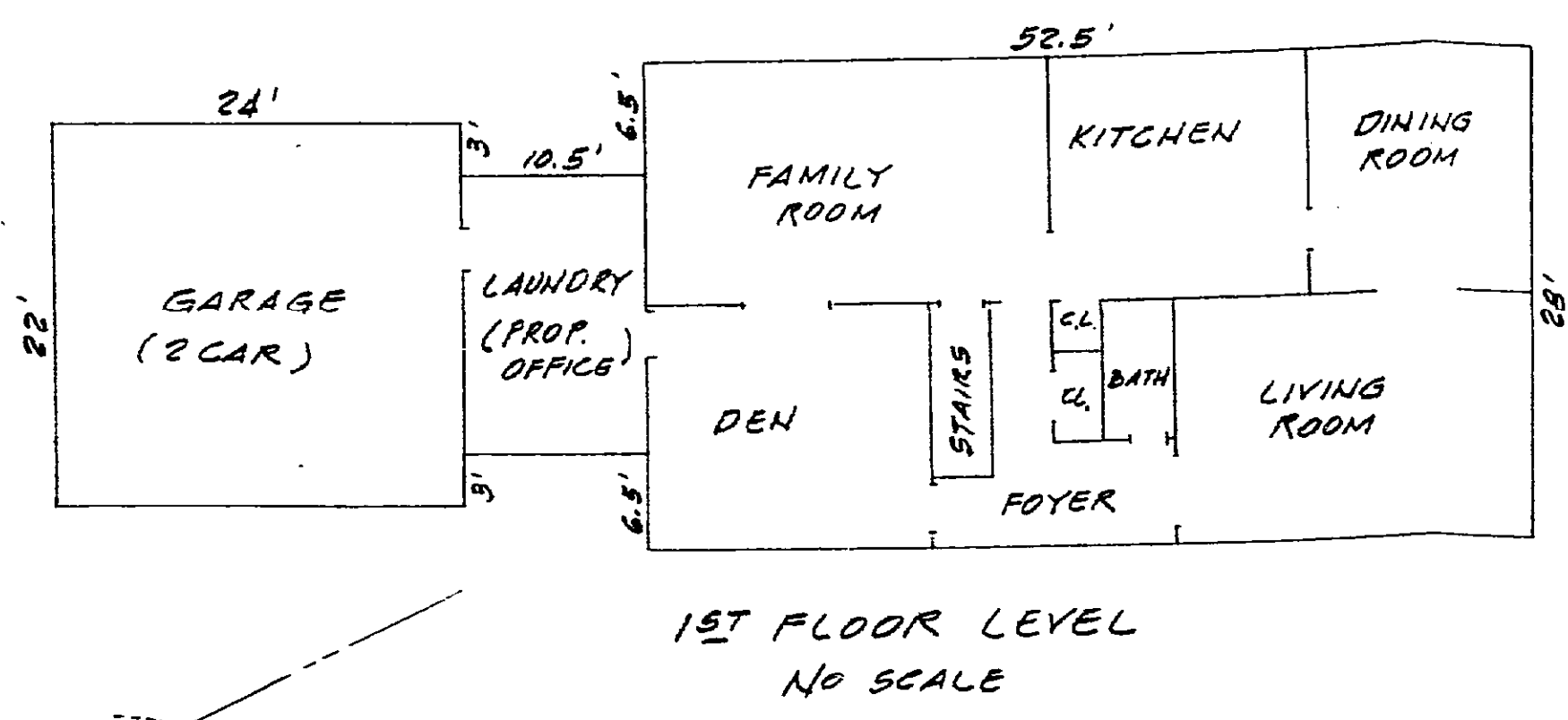
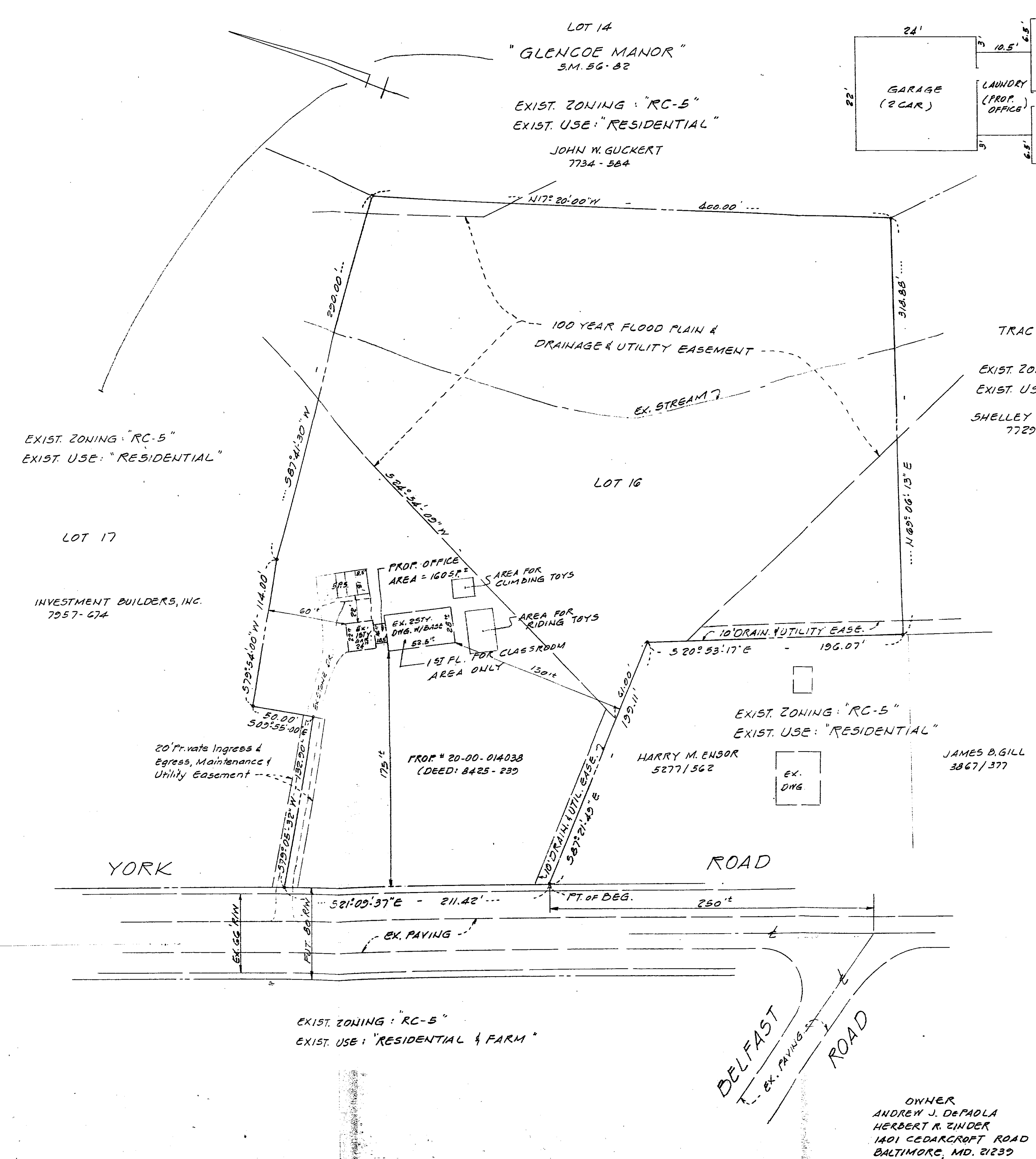
The office of OPZ and members of the Hereford Community for the past couple of years, have worked tirelessly hard in creating a Hereford Business Zone for our area. This was done because we wanted to centralize our business district, and to keep our residential areas residential. Therefore, this application for special exception to expand this Home Child Care Provider into a full Day Care Center is wrong.

With the restrictions the Dept. of Health requires, the first floor and basement of this residence will be changed into a business use facility only, and will essentially give this residence a Business Light Zoning.

From all for Day Care, it has become a business, but just like everything else it is a business - the people who take care of the children do it for money - it is their job. If a Day Care Center is to open, let it open in the West Hereford Zone.

Sincerely,
 Standa Shortall





- GENERAL NOTES**
- AREA OF PROPERTY = 4.527 Ac.
 - EXISTING ZONING OF PROPERTY = "RC-5"
 - EXISTING USE OF PROPERTY = "RESIDENTIAL"
 - PROPOSED ZONING OF PROPERTY = "RC-5 W/SPEC. EXCEPTION"
 - PROPOSED USE OF PROPERTY = "CLASS B - GROUP CHILD CARE CENTER & RESIDENCE"
 - PETITIONER REQUESTING A SPECIAL EXCEPTION TO PERMIT A CLASS B - GROUP CHILD CARE CENTER IN AN "RC-5 ZONE."
 - A. NUMBER OF EMPLOYEES = 4
 - B. NUMBER OF CHILDREN TO BE ENROLLED = 29
 - C. HOURS OF OPERATION: MON. THRU FRI. 7 A.M. - 6 P.M.
 - D. PROPOSED A.D.T. = 75
 - REQUIRED OFF STREET PARKING:
 - A. NUMBER OF EMPLOYEES (1 PS/EMPLOYEE) = 4
 - B. OFFICE: 1605 SF @ 3.3/1000 = 0.53
 - C. RESIDENCE = 2
 - D. TOTAL PARKING SPACES REQ'D = 7 SHOWN = 7 (INCL. 2 CAR GAR.)
 - PROPERTY HAS PRIVATE SEWER & WATER
 - PROPERTY DRAINS TO PINEY CREEK (GUNPOWDER FALLS)
 - EXISTING 2STY. BLDG:
 - A. 1ST FL. (1470 SF.) TO BE USED AS CLASSROOM AREA
 - B. 2ND FL. & BASEMENT = "RESIDENCE & STORAGE"
 - C. OFFICE AREA = 160 SF.

PLAT TO ACCOMPANY PETITION FOR
SPECIAL EXCEPTION
"15,141 YORK ROAD"
(E.S. YORK ROAD - N. OF BELFAST ROAD)
8TH ELECT. DIST BALTIMORE COUNTY, MD.
SCALE: 1"=40' JUNE 26, 1990

91-125-X
60

PAUL LEE ENGINEERING, INC.
304 N. PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21284

